

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

EBER GENE RUTH,

No. C 09-1861 SI (pr)

Petitioner,

JUDGMENT

v.


PEOPLE OF THE STATE OF
CALIFORNIA,

Respondent.

This action is dismissed without prejudice to petitioner filing a petition in this court after he obtains the necessary order from the appellate court permitting him to file a second or successive petition.

IT IS SO ORDERED AND ADJUDGED.

DATED: May 5, 2010



SUSAN ILLSTON
United States District Judge